

1 JOHN F. McINTYRE, JR., ESQ., State Bar No. 172128  
2 KEVIN R. ELLIOTT, ESQ., State Bar No. 276295  
3 SHEA & McINTYRE, A P.C.  
4 2166 The Alameda  
5 San Jose, CA 95126-1144  
6 [408] 298-6611  
7 [408] 275-0814 Facsimile  
8 Email: [jmcintyre@sheamcintyre.com](mailto:jmcintyre@sheamcintyre.com)

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Attorneys for Defendant  
E-3 SYSTEMS, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOSE FRANCO, on behalf of himself and others  
similarly situated,

Plaintiff,

v.

E-3 SYSTEMS, a California corporation, and  
DOES 1 through 50, inclusive,

Defendants.

Case No. 4:19-cv-02854-HSG

**STIPULATION TO CONTINUE  
CASE MANAGEMENT  
CONFERENCE AND ORDER**

Currently Scheduled Date: 12/10/19  
Proposed Date: 12/19/19 @ 2:00pm  
Judge: Hon. Haywood S. Gilliam, Jr.  
Courtroom: 2

**STIPULATION**

WHEREAS, the Case Management Conference is presently set for December 10, 2019 at 2:00 p.m. in Courtroom 2, the Honorable Haywood S. Gilliam, Jr. Presiding.

WHEREAS, Defendant's counsel has a trial in another matter to attend on the presently set Case Management Conference of December 10, 2019 and therefore cannot attend the presently set Case Management Conference.

WHEREAS, Defendant's counsel cleared the proposed new Case Management Conference date of December 19, 2019 with Plaintiff's counsel via email on December 4, 2019.

WHEREAS, Defendant's counsel and Plaintiff's counsel have agreed to continue the Case Management Conference to December 19, 2019 at 2:00 p.m.

1 THEREFORE, IT IS HEREBY STIPULATED AND AGREED, SUBJECT TO THE  
2 APPROVAL OF THE COURT, AS FOLLOWS:

3 That the Case Management Conference shall be continued from December 10, 2019 to  
4 December 19, 2019 at 2:00 p.m. in Courtroom 2, the Honorable Haywood S. Gilliam, Jr. Presiding.

5 IT IS SO STIPULATED.

6  
7 Dated: December 4, 2019

SHEA & McINTYRE, A.P.C

8  
9 By: /s/ Kevin R. Elliott  
10 JOHN F. McINTYRE, JR.  
11 KEVIN R. ELLIOTT  
12 Attorneys for Defendant, E-3 SYSTEMS, INC.

13 Dated: December 4, 2019

DAVID YEREMIAN & ASSOCIATES, INC.

14  
15 By: /s/ ROMAN SHKODNIK  
16 ROMAN SHKODNIK  
17 Attorney for Plaintiff, JOSE FRANCO

## **ORDER ON STIPULATION**

Having reviewed the stipulation, and good cause appearing:

IT IS SO ORDERED that the Case Management Conference shall be, and hereby is continued from, December 10, 2019 to December 19, 2019 at 2:00 p.m. in Courtroom 2, the Honorable Haywood S. Gilliam, Jr. Presiding.

## IT IS SO ORDERED.

Dated: 12/5/2019

Haywood S. Gill Jr.  
THE HONORABLE HAYWOOD S. GILL, JR.  
JUDGE OF THE U.S. DISTRICT COURT